



Policy: 1119  
Procedure: 1119.01

Effective: 04/18/06  
Replaces: Parts of  
1120 and  
1121

Chapter: Structure and Authority  
Rule: Confidentiality for Juveniles

Dated: 11/21/01

### Purpose:

The Arizona Department of Juvenile Corrections (ADJC) establishes procedures to ensure that the handling of confidential juvenile information is consistent with applicable statutes, regulations, and professional practice.

### Rules:

1. **ADJC PERSONNEL INCLUDING INTERNS, VOLUNTEERS, AND CONTRACT EMPLOYEES** shall not publicly identify any juvenile in its custody.
  - a. A **JUVENILE'S PARENT/LEGAL GUARDIAN** may authorize the Department to release information to the media by filling out and signing Juvenile Media Authorization form 1301.06A;
  - b. Except where explicitly permitted by policy, **ADJC PERSONNEL, VOLUNTEERS, INTERNS, MEMBERS OF THE PUBLIC, OR A JUVENILE'S PARENT/LEGAL GUARDIAN** shall not:
    - i. Photograph juveniles;
    - ii. Bring a camera or any photographic device on to the campus of a secure facility or to a parole office/community resource center, except for the purpose of:
      - (1) Identification(ID) photographs in the secure facility or parole office;
      - (2) Identification by the Mexican Consulate Office for the purpose of documenting juveniles for verification that they are Mexican nationals and , if they choose to reenter Mexico upon release from ADJC, they have the proper identification with which to enter their country.
  - c. Exceptions to Rule 1. b. are as follows:
    - i. **EMPLOYEES OF THE INSPECTIONS AND INVESTIGATIONS DIVISION** may photograph a juvenile in the course of an investigation;
    - ii. **ADJC PERSONNEL**, excluding volunteers, interns, members of the public, or a juvenile's parent/legal guardian may, for the purpose of positive publicity or community relationships, photograph juveniles who are participating in activities either in a secure facility or in the community, with the written permission of the Public Information Officer and the secure facility Superintendent or the Community Corrections Division Administrator;
    - iii. **MEDICAL PERSONNEL** may take pictures of a juvenile in cases of:
      - (1) Injuries;
      - (2) Abuse and/or neglect;
      - (3) As related to medical procedures, when appropriate.
    - iv. **THOSE TAKING PHOTOGRAPHS OF JUVENILES** shall:
      - (1) Check out an ADJC digital camera from the secure facility or parole office/Community Resource Center, when available;
      - (2) Ensure the juvenile cannot be identified in the photograph by either blurring the juvenile's face or photographing the juvenile from the back;
      - (3) Return the camera to the appropriate office where the person in charge of the cameras shall:
        - (a) Send all photographs to the ADJC Web Administrator to be archived;
        - (b) The Web Administrator shall have final authority to post or not post a picture or pictures of juveniles on the Intranet.

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- (4) Ensure that pictures are not downloaded, printed, or viewed on a computer or printing device;
    - (5) Understand that all photographs are the property of the ADJC Web Administrator.
2. **ADJC PERSONNEL** shall safeguard juveniles' identity both in secure care and in the community. If an employee finds him/herself in a situation where the identity of an ADJC juvenile will be or has been compromised **S/HE** shall:
  - a. Inform the person attempting to take a picture of the juvenile or to learn the juvenile's identity that s/he shall not do so;
  - b. If the picture has been taken or the identity learned without seeking proper authorization:
    - i. Inform the person responsible that they must either destroy the picture or turn the camera over to ADJC Security, facility Superintendent, or Parole Supervisor;
    - ii. Provide evidence to ADJC Security, facility Superintendent, or Parole Supervisor that the picture has been destroyed.
3. **ADJC PERSONNEL** shall:
  - a. Safeguard juvenile files from unauthorized access;
  - b. Mark all juvenile files "Confidential;"
  - c. Secure in a locked file room and locked cabinets all:
    - i. Juvenile field files;
    - ii. Health files - Records Personnel and the Medical Records Librarian are responsible for storage and maintenance of the medical and mental health files;
    - iii. Education files; and
    - iv. Central Office files.
  - d. Store and maintain the official health, mental health, and education files separately from individual field files;
    - i. Records Personnel and the Medical Records Librarian are responsible for storage and maintenance of the medical and
  - e. Limit access to authorized users only;
  - f. Transport files in a manner that ensures security and confidentiality;
  - g. Shred extra copies of documents/records.
4. **ADJC** shall prohibit the release of personally identifiable information in accordance with Arizona Revised Statutes (ARS) 39-121, et seq., when that information might be detrimental to the person. The Attorney General Liaison shall ensure the safeguarding of personally identifiable information of all juveniles. The following juvenile data is considered personally identifiable, non-public access data:
  - a. Juvenile's name;
  - b. Social Security number;
  - c. Juvenile's or family's telephone number(s);
  - d. Community or home address of juveniles and/or parent(s)/guardian(s).
5. **ADJC RECORDS PERSONNEL IN CONJUNCTION WITH THE ATTORNEY GENERAL LIAISON**, shall define the levels of access/restrictions for juvenile records as follows:
  - a. Restricted Data is the highest level of information maintained by ADJC. **ADJC** shall keep or confine that information within strict limits. Direct access to data is prohibited and is not available to all ADJC staff;
  - b. Confidential Data is (mid-level) private information. This level of data is below restricted data. **ADJC PERSONNEL** shall maintain this data in the records room at secure care facilities and Central Office. This data is available to specific ADJC staff when properly requested;
  - c. Sensitive Data is the lowest level of data and is related to private information. **ADJC PERSONNEL** shall maintain this data in the records room at secure facilities, Parole

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Offices, and Central Office. This data is available to specific ADJC staff when properly requested.

6. **ADJC RECORDS PERSONNEL, IN CONJUNCTION WITH THE ATTORNEY GENERAL LIAISON**, shall release juvenile records:
  - a. In accordance with the wishes of the juvenile and his/her parent(s)/legal guardian(s) only with a signed Form 1119B Authorization for Release of Information; or
  - b. Only when release of such information is allowable by state statutes, regulations, court orders and applicable federal laws and regulations.
7. **ADJC PERSONNEL** shall release juvenile file information to the *public* only:
  - a. With the written consent of the Attorney General Liaison;
  - b. By court order; or
  - c. As authorized by ARS §8-208.
8. **ADJC PERSONNEL** shall maintain the confidentiality of information of a juvenile's health status in accordance with Procedure 3000.09 Confidentiality of Health Records.
  - a. **QUALIFIED HEALTH CARE PERSONNEL (QHCP)** shall maintain active health records separately from the juvenile's Field File;
  - b. The **CLINICAL DIRECTOR OR DESIGNEE (THE MEDICAL RECORDS LIBRARIAN)** shall control access to the health record in accordance with state and federal law;
  - c. The **PARENT/GUARDIAN** may request juvenile medical records.
    - i. **EMPLOYEES** receiving the request may notify the juvenile.
    - ii. The **JUVENILE AND/OR THE PARENT(S)/GUARDIAN(S)** shall have access to the juvenile's own medical files in accordance with Procedure 3000.09 Confidentiality of Health Records.
9. **ADJC PERSONNEL** shall maintain the confidentiality of information of a juvenile's mental health status in accordance with Procedure 1120.07 Maintenance of the Mental Health Records. The **MEDICAL RECORDS LIBRARIAN** shall:
  - a. Create a mental health record for each juvenile;
  - b. Store the record in a highly restricted, locked Medical file area.
10. **ADJC RECORDS PERSONNEL, INCLUDING CLERKS**, shall provide the juvenile and/or the parent(s)/guardian(s) access to the juvenile's own education files in accordance with federal and state regulations and Policy 4401 Confidentiality of School Records.
11. The **ATTORNEY GENERAL LIAISON** shall handle response to a subpoena duces tecum in accordance with Policy 1308 Response to Subpoenas and Procedures 1308.01 Response to Court Summons, Subpoena, Notice of Deposition, or Interview and 1308.02 Response to Litigation-Related Requests for Documents and Files.
12. **ADJC RECORDS CLERKS** shall ensure that research projects which require release of information from juvenile records are done in compliance with ADJC Policy 1130 Research Projects and Procedure 1130.01 Outside Research Requests.
13. **ADJC RECORDS CLERKS** shall ensure:
  - a. The Attorney General Liaison reviews all requests for juvenile records from the public or outside agencies in order to ensure compliance with state and federal statutes in accordance with Procedure 1120.03 Juvenile Master Files – Requests for Information;
  - b. The customer is provided with timely and accurate information, upon receiving the Attorney General Liaison's approval.
14. **OTHER COUNTY, STATE, AND FEDERAL AGENCIES** with a valid need to know, as determined by the Attorney General Liaison, may access the records room in order to review

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